

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MAJER DOGLIONI

Atty. Ref.: 3687-273; Confirmation No. 7882

Appl. No. 10/530,023

TC/A.U. 3742

Filed: November 16, 2005

Examiner: Reginald Alexander

For: DISPENSING ASSEMBLY FOR PREPARING BEVERAGES FROM SOLUBLE
PRODUCTS

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March 17, 2011

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE AFTER FINAL REJECTION

Responsive to the Official Action dated September 17, 2010 (for which petition is hereby made for a three month extension of time), please consider the following remarks.

Claims 5-8, 10, 20-23, 25 and 31-48 stand rejected based on the judicially created doctrine of obviousness-type double patenting over claims 1-18 of U.S. Patent No. 7,100,496. Applicant submits herewith a Terminal Disclaimer in order to overcome the rejection based on obviousness-type double patenting. While the Applicant does not agree with the rejection, the submission of a Terminal Disclaimer is not an admission as to the propriety of the rejection under MPEP 804.02.

In addition, while claim 30 was objected to as depending from canceled claim 16, it was amended to depend from claim 33 in the August 13, 2010 Amendment.